

THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: David R. Miller and : Chapter 13
Barbara A. Miller, :
Debtors : Bankruptcy No.: 18-14460-pmm
:

ORDER

AND NOW, upon consideration of the Motion to Sell Real Property, and upon notice to all interested parties and any response thereto, and after a hearing before the Court and for good cause shown, it is hereby

ORDERED, that debtor David R. Miller is granted permission to sell real property known as 906 Huffs Church Road, Alburtis, PA 18011 (“Property”) for the sale price of \$250,000 to buyers Justin K. Kerschner, Alicia M. Kerschner (“Buyers”), who have been represented to be purchasing the Property at arms-length.

The proceeds of the sale, including any funds held as a deposit made by or on behalf of the Buyers, shall be distributed in the following manner:

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| 1. Estimated ordinary and reasonable settlement costs, including, but not limited to those related to notary services, deed preparation, disbursements, express shipping, surveys, municipal certifications, or any other such routine matters | \$ 1,500.00 |
| 2. Lien paid at closing – Freedom Mortgage Corporation * | \$ 112,880.00 |
| * the lien shall be paid in full and will vary accordingly on actual settlement date. | |
| 3. Pennsylvania Real Estate Transfer Tax of 1.0% | \$ 2,500.00 |
| 4. Commission to Creighton Faust (Agent of Seller) | \$ 8,125.00 |
| 5. Commission to Jennifer Miller (Agent of Buyers) | \$ 6,875.00 |
| 6. Payment to Scott F. Waterman, Chapter 13 Trustee | \$ 20,720.00 |
| 7. Payment of Sale Proceeds to David R. Miller | <u>\$ 97,400.00</u> |
| Total: | \$ 250,000.00 |

This Order permitting sale of the real estate shall be effective and enforceable immediately upon entry and Debtor David R. Miller and Buyers are authorized to close the Sale immediately upon entry of this Sale Order. The stay required under Bankruptcy Rule 6004(h) is hereby waived.

The title clerk shall fax a settlement statement from the closing directly to Scott F. Waterman, Chapter 13 Trustee upon the close of the settlement to (610) 779-3637, and the Trustee shall promptly notify the title company of any objection to the sums to be disbursed. The title clerk shall immediately transmit the actual disbursement check to the trustee by overnight courier.

Upon entry of this Order, the Chapter 13 Trustee is to make no further ordinary disbursements to creditors and shall only disburse funds to creditors after receipt of the sale proceeds.

In the event the case is converted to Chapter 7, any funds remaining in the possession of the standing Chapter 13 trustee derived from the sale of the real estate shall be transferred to the appointed Chapter 7 trustee.

BY THE COURT:



Honorable Patricia M. Mayer
United States Bankruptcy Judge

Date: June 3, 2022